

104TH CONGRESS
2D SESSION

S. 1612

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 4, 1996

Referred to the Committee on the Judiciary

AN ACT

To broaden the scope of certain firearms offenses, and for
other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. FIREARMS OFFENSES.**

2 (a) IN GENERAL.—Sections 924(c)(1) and 929(a)(1)
3 of title 18, United States Code, are each amended by strik-
4 ing “uses or carries” and inserting “possesses”.

5 (b) AMENDMENT OF SENTENCING GUIDELINES.—

6 (1) IN GENERAL.—Pursuant to its authority
7 under section 994 of title 28, United States Code,
8 the United States Sentencing Commission shall re-
9 view and, if appropriate, amend the Federal Sen-
10 tencing Guidelines and the policy statements of the
11 Commission to provide an appropriate sentence en-
12 hancement with respect to any defendant who dis-
13 charges a firearm during or in relation to any crime
14 of violence or any drug trafficking crime.

15 (2) CONSISTENCY.—In carrying out this sub-
16 section, the United States Sentencing Commission
17 shall—

18 (A) ensure that there is reasonable consist-
19 ency with other Federal Sentencing Guidelines;

20 (B) avoid duplicative punishment for sub-
21 stantially the same offense; and

22 (C) take into account any mitigating cir-
23 cumstances that might justify an exception to
24 any amendment made under paragraph (1).

25 (3) DEFINITIONS.—For purposes of this sub-
26 section, the terms “crime of violence” and “drug

- 1 trafficking crime” have the same meanings as in sec-
2 tion 924(c) of title 18, United States Code.

Passed the Senate October 3, 1996.

Attest:

GARY SISCO,
Secretary.